

## **Remarks**

### **I. Administrative Overview**

Claims 1-60 of which Claims 1, 23, 31 and 53 are independent. Claims 1, 2, 31 and 32 are hereby amended, and Claims 3, 18, 21, 23-30, 33, 48, 51 and 53-60 are cancelled. Upon entry of the present amendments, Claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are pending. No new matter has been introduced.

Applicants submit that pending claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are in condition for allowance. Accordingly, Applicants respectfully request reconsideration and withdrawal of all rejections levied against the pending claims.

### **II. Specification Objections**

In response to the Examiner's Specification objections, Applicants submit with this paper a Substitute Specification. Applicants respectfully submit that this Substitute Specification addresses all informalities objected to by the Examiner. Accordingly, Applicants respectfully request that the Examiner withdraw all Specification objections.

### **III. Drawing Objections**

In response to the Examiner's Drawing objections, Applicants submit with this paper a Replacement Drawing for Figure 5. Applicants respectfully submit that this Replacement Drawing addresses all informalities objected to by the Examiner. Accordingly, Applicants respectfully request that the Examiner withdraw all Drawing objections.

### **IV. Oath or Declaration Objection**

In response to the Examiner's contention that the Oath/Declaration is defective and therefore objected to, Applicants respectfully point the Examiner to MPEP § 602.05 which states in relevant part that "the Office will no longer require a newly executed oath or declaration based

on an oath or declaration being stale (that is when the date of execution is more than 3 months prior to the filing date of the application) or where the date of execution has been omitted.” Thus, according to the USPTO standards of practice, as set forth in the MPEP, there is no requirement on the part of Applicants to submit a newly executed oath or declaration because the USPTO no longer requires a newly executed oath or declaration when the date of execution has been omitted.<sup>1</sup> Accordingly, Applicants respectfully submit that the Oath/Declaration is not defective and respectfully request that the Examiner withdraw this objection.

#### **V. Rejections under 35 U.S.C. § 102**

Claims 1-60 are rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent Publication No. 2007/0277034 to LiVecchi (“LiVecchi”). Claims 3, 18, 21, 23-30, 33, 48, 51 and 53-60 have been cancelled thereby mooted this rejection with respect to those claims. Applicants respectfully submit that pending Claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are patentable over LiVecchi.

A claimed invention lacks novelty when a cited reference discloses each and every element of the claimed invention. Claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are patentable over LiVecchi because LiVecchi fails to disclose assigning a first network identifier to the first program and assigning a second network identifier to the second program, as is required by independent Claims 1 and 31.

LiVecchi describes a multi-level security system that facilitates communication between two different systems by applying security labels to data packets generated in each system. *See* LiVecchi, Abstract; p. 2, paragraph 17; p. 4. These security labels indicate which user session generated the packet. As shown in Figure 4 of LiVecchi, a component (1) inserts the source address and the security label for a packet into the packet header, (2) determines a destination system’s address, and (3) replaces the source address in the packet header with the destination address. *See* LiVecchi, p. 5, paragraph 48. Inserting a source address and security label into a packet header is different from assigning a first network identifier to a first program and a second

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<sup>1</sup> Please note that MPEP § 602.05 also states that “the Office no longer checks the date of execution of the oath or declaration,” thus providing more weight for Applicants’ contention that the submitted Oath/Declaration is not defective simply because there are omitted dates of execution.

network identifier to a second program first and foremost because a packet is not a program. LiVecchi describes assigning security values based on users, not based on programs. Thus, even if one were to equate a security label with a network identifier, LiVecchi does not describe assigning network identifiers to programs or according to programs. LiVecchi therefore does not disclose each and every element of Claims 1 and 31 and therefore the claimed invention. Claims 2, 4-17, 19-20, 22, 32, 34-47, 49-50 and 52 depend on Claims 1 and 31 therefore these claims are also patentable over LiVecchi. Accordingly, Applicants respectfully submit that Claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are patentable over LiVecchi and further request that the Examiner withdraw this rejection.

#### **VI. Rejections under 35 U.S.C. § 103**

Claims 1-60 are rejected under 35 U.S.C. § 103(a) as unpatentable over LiVecchi in view of Winsock. Claims 3, 18, 21, 23-30, 33, 48, 51 and 53-60 have been cancelled thereby mooting this rejection with respect to those claims. Applicants respectfully submit that pending Claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are patentable over any combination of LiVecchi and Winsock.

*Prima facie* obviousness requires that each and every claim element of the claimed invention must be taught or suggested by one or more references, alone or combined. Applicants' arguments with respect to LiVecchi are repeated here with the same force with which they are set forth above. Applicants respectfully submit that like LiVecchi, Winsock also does not teach or suggest assigning a first network identifier to the first program and assigning a second network identifier to the second program, as is required by independent Claims 1 and 31. The Examiner cites Winsock merely to address types of computer operating systems that do not come with TCP stacks. At no point does Winsock teach or suggest assigning a first network identifier to a first program and assigning a second network identifier to a second program. Thus, any combination of LiVecchi and Winsock will fail to teach or suggest each and every element of Claims 1 and 31 and therefore the claimed invention. Accordingly, Applicants respectfully submit that Claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are patentable over LiVecchi in view of Winsock and further request that the Examiner withdraw this rejection.

## **VII. Conclusion**

Applicants contend that each of the Examiner's rejections has been adequately addressed and that all of the pending claims are in a condition for allowance. Accordingly, Applicants respectfully request reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' agent would expedite prosecution of this application, the Examiner is urged to contact Applicants' agent at the telephone number identified below.

Respectfully submitted,  
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